



Press Release



**Congressman John Conyers, Jr.
Michigan, 14th District**

**Ranking Member, U.S. House Judiciary Committee
Dean, Congressional Black Caucus**

www.house.gov/judiciary_democrats/index.html

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**Contact: Dena Graziano
(202)226-6888**

**CONYERS URGES HOUSE TO REJECT ONE-SIDED, ANTI-
CONSUMER, ANTI-CIVIL RIGHTS CLASS ACTION BILL**

Congressman John Conyers, Jr., Ranking Member of the House Judiciary Committee, issued the following statement regarding today's debate on the House Floor on S.5, "The Class Action Fairness Act of 2005":

"With consideration of this legislation, the Majority begins their assault on our nation's civil justice system.

Today we preempt state class actions. Next month we will take up a bankruptcy bill that massively tilts the playing field in favor of credit card companies and against ordinary consumers and workers. On deck are equally one-sided medical malpractice and asbestos bills that cap damages and eliminate liability to protect some of the most egregious wrongdoers in America.

The Majority's assault on victims and consumers is unprecedented in its scope and stunning in its breadth. Collectively, these measures will close the court house doors on millions of Americans harmed by intentional wrongdoing, negligence, and fraud. Long after the 109th Congress is forgotten, American consumers and workers will be paying the price for these special interest bills through needless injuries and uncompensated harm.

This legislation will remove class actions involving state law issues from state courts -- the forum most convenient for victims of wrongdoing and with the judges most familiar with the substantive law -- to the federal courts, where the case will take far longer to resolve and is far less likely to be certified.

You don't have to take my word for it, just ask big business. The nation's largest bank, Citicorp admits "the practical effect [of the bill will] be that many cases will never be heard. Federal judges, facing overburdened dockets and ambiguities about applying state laws in a federal court, often refuse to grant standing to class-action plaintiffs." Forbes Magazine writes, "the legislation will ... make it more difficult for plaintiffs to prevail, since ... federal courts are ... less open to considering ... class action claims."

Passage of this legislation would be particularly devastating for civil rights and labor cases. As the Lawyers Committee for Civil Rights under the Law explained, "the consequences of the [legislation] for [civil rights] class actions ... would be astounding and, in our view, disastrous. Redirecting state law class actions to the federal courts will choke federal court dockets and delay or foreclose the timely and effective determination of federal [civil rights] cases."

Since the November election, we have heard a lot of talk about "values." That's fine. But someone tell me, where is the "value" in denying senior citizens who suffered heart attacks because they took Vioxx for their arthritis? Where is the "morality" in preventing poor workers from joining together to obtain compensation when unscrupulous employers pay them slave wages? Where is the "righteousness" in telling victims of discrimination that they will have to wait years for a federal court to consider violations of their own state laws?

If we have learned any lessons from the Enron, Tyco, Firestone, and other legal debacles, it's that our citizens need more protection against wrongdoers, not less. Yet the class action bill takes us in precisely the opposite direction. The House should reject this one-sided, anti-consumer, anti-civil rights legislation."